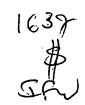
ED STATES PATENT AND TRADEMARK OFFICE



APPLICANT: HARDIN ET AL. EXAMINER: RILEY, J. SERIAL NO: 10/007621 **GROUP ART UNIT: 1637** 12/03/01 DOCKET: 00007/02UTL FILED: FOR: **ENZYMATIC NUCLEIC ACID SYNTHESIS:** § § COMPOSITIONS AND METHODS FOR ALTERING § MONOMER INCORPORATION FIDELITY

EL961 168 242 US Express Mail Number	CERTIFICATION UNDER 37 C.F.R. § 1.10	June 30, 2004 Date of Deposit
I hereby certify that this Application and the documents referred to as enclosed therein are being deposited with the United States Postal Service in an envelope as "Express Mail Post Office to Addressee," addressed to: Assistant Commissioner for Patents		
Robert W. Shozier	Washington, D.C. 20231	<u>June 30, 2004</u> Date of Signature

RESPONSE TO 4 JUNE 2004 ELECTION/RESTRICTION REQUIREMENT

Election/Restrictions

The Examiner contends as follows:

Restriction to one of the following inventions is required under 35 U.S.C. 121:

- Claims 1-6 and 17-18 drawn to a composition comprising a modified I. nucleotide including a molecular and/or [sic] atomic tag to alter base incorporation fidelity, classified in class 536, subclass 23.1
- II. Claims 7-13 and 15 drawn to method comprising the step of adding a modified nucleotide including a molecular and/or atomic tag to alter base incorporation fidelity, classified in class 435, subclass 91.1.
- Claim 14 drawn to a method for making blunt-ended fragments, III. classified in class 435, subclass 91.1.
- Claim 16 drawn to a method of inhibiting or preventing IV. pyrophosphorolysis, classified in class 435, subclass 6.
- Claim 19-20, drawn to a method for increasing the fidelity of V. replication, classifired in class 514, subclass 44.

Applicants traverse the restriction requirement and request reconsideration of the restriction with respect to groups I and II.

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